UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,103	05/19/2006	Olivier Joffray	76.0840	2459

41754   7590   01/03/2008
THE JANSSON FIRM
9501 N. CAPITAL OF TX HWY #202
AUSTIN, TX 78759

EXAMINER
SNYDER, STEVEN G

ART UNIT	PAPER NUMBER
2184	

MAIL DATE	DELIVERY MODE
01/03/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/561,103	JOFFRAY, OLIVIER
	Examiner	Art Unit	
	Steven G. Snyder	2184	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 December 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 11-13* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 11-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 December 2005* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This is in response to application filed on December 16, 2005 in which claims 1 to 9 and 11 to 13 are presented for examination.

Status of Claims

Claims 1 to 9 and 11 to 13 are pending, of which claims 1, 3, 7, and 11 are in independent form.

Priority

1.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "7" has been used to designate both EEPROM and ROM. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required

corrective action in the next Office action. The objection to the drawings will not be held

in abeyance.

Claim Objections

3.   **Claim 1** is objected to because of the following informalities: this claim contains

incorrect grammar that makes the claim language unclear. The phrase "at least two

inputs/outputs physically distinct" is not correct grammar. This could be changed to "at

least two inputs/outputs <u>that are</u> physically distinct" or "at least two <u>physically distinct</u>

inputs/outputs." Appropriate correction is required.

4.   **Claim 2** is objected to because of the following informalities: this claim ends with

the phrase "software of the portable." This should read, "software of the portable

<u>device</u>." Also, claim 2 inherits the objection to claim 1 due to the fact that claim 2

depends on claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 9 and 11 – 13 are rejected under 35 U.S.C. 102(b) as being

anticipated by "Smart Cards: The Developer's Toolkit" by Jurgensen et al.,

published July 9, 2002 by Prentice Hall PTR (hereinafter referred to as

Jurgensen).

Referring to claim 1, Jurgensen discloses the limitation of "A system for

performing secure operations that require the input of secure information comprising a

processing data unit (PC, ...) connected to a portable object (1), the portable object

being connected to a device (21)" (See Jurgensen Fig. 7.1 and Fig. 7.6 which show a

PC connected to a smart card reader, which is in turn connected to a smart card device.

Also, see Jurgensen Chapter 4, the section entitled 'Security Mechanisms,' the

subsection entitled 'Authentication,' where secure sharing of information is discussed).

Also, Jurgensen discloses the limitation of "said portable object comprises at least two

inputs/outputs (17, 18) physically distinct assigned to be connected respectively with the

processing data unit and the device in order that the device sends said secure

information to the portable object through the assigned input/output" (See Jurgensen

7.1 and Fig. 7.6 which show separate input/output ports on the smart card reader for

connecting to the PC and connecting to the smart card).

As per claim 2, the majority of the limitations of this claim have been noted in

the rejection of claim 1 (See detail of claim 1 rejection above). Jurgensen discloses the

limitation of "the only logic link between data circulating between the portable object and

the processing data unit and the portable object and the device is the software of the

portable" (See Jurgensen Chapter 10 'Smart Card System Management,' the section

entitled 'The Infrastructure,' the subsections entitled 'The InterFace Device' where an

Interface Device (IFD), or smart card reader, is described as being a secure computing

platform containing a processor, memory, and interfaces. Also, the following subsection

entitled 'Simple Readers' states how a reader may implement an entire protocol in its

firmware).

Referring to claim 3, the limitations of this claim, which describes 'a portable

object,' are equivalent to the limitations of claim 1, which describes 'a system' that

includes a portable object. Therefore, the rejection to claim 1 applies to this claim as

well.

As per claim 4, the majority of the limitations of this claim have been noted in

the rejection of claim 3 (See detail of claim 3 rejection above). Also, Jurgensen

discloses the limitation of "the portable object is a card with an integrated circuit" (See

Jurgensen Fig. 7.1 which shows an integrated circuit contained in a smart card. Further

discussion of integrated circuits (ICCs) and smart cards can be seen in Chapter 10

'Smart Card System Management,' the section entitled 'The Actors,' and the subsection

entitled 'The Smart Card Manufacturer").

As per claim 5, the majority of the limitations of this claim have been noted in

the rejections of claims 3 and 4 (See detail of claims 3 and 4 rejections above). Also,

the limitations of this claim are equivalent to the limitations of claim 2. Therefore, the

rejection to claim 2 applies to this claim as well.

As per claim 6, the majority of the limitations of this claim have been noted in

the rejections of claims 3 and 4 (See detail of claims 3 and 4 rejections above). Also,

Jurgensen discloses the limitation of "An electronic unit intended to be integrated in a

portable object" (See Chapter 10 'Smart Card System Management,' the section entitled

'The Actors,' and the subsection entitled 'The Smart Card Manufacturer" where an ICC

is installed into a smart card).

Referring to claim 7, the limitations of this claim are equivalent to the limitations

of claim 1. The steps of the method of this claim have been stated in the system of

claim 1. Therefore, the rejection to claim 1 applies to this claim as well.

As per claim 8, the majority of the limitations of this claim have been noted in

the rejection of claim 7 (See detail of claim 7 rejection above). Also, the limitations of

this claim are equivalent to the limitations of claim 2. Therefore, the rejection to claim 2

applies to this claim as well.

As per claim 9, the majority of the limitations of this claim have been noted in the rejections of claims 7 and 8 (See detail of claims 7 and 8 rejections above). Also, Jurgensen discloses the limitations of "information is validated by inputting secure information in said device when the information to validate given by said processing data unit is correct and by sending the information of validation through said portable object assigned input/output" (See Jurgensen Chapter 4 'Smart Card Applications,' the section entitled 'Security' where authentication and authorization are discussed. Also see Jurgensen Chapter 4 'Smart Card Applications,' the section entitled 'Security Mechanisms,' the subsection entitled 'Digital Signatures' where validating the digital signature is discussed).

Referring to claim 11, the limitations of this claim are equivalent to the limitations of claim 1, except for the limitation of a computer storage media operable to store instructions that instruct a processor to carry out a method. Therefore, the rejection to claim 1 applies to this claim as well. Also, as stated above, Jurgensen describes, in Chapter 10 'Smart Card System Management,' the section entitled 'The Infrastructure,' the subsections entitled 'The InterFace Device,' an Interface Device (IFD), or smart card reader, as a secure computing platform containing a processor, memory, and interfaces. In the next subsection, entitled 'Simple Readers,' Jurgensen discloses how some IFDs may contain firmware).

As per claim 12, the majority of the limitations of this claim have been noted in the rejection of claim 11 (See detail of claim 11 rejection above). Also, the limitations of this claim are equivalent to the limitations of claim 2. Therefore, the rejection to claim 2 applies to this claim as well.

As per claim 13, the majority of the limitations of this claim have been noted in the rejection of claim 5 (See detail of claim 5 rejection above). Also, the limitations of this claim are equivalent to the limitations of claim 6. Therefore, the rejection to claim 6 applies to this claim as well.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Application 2004/0122774 discloses a portable device communicating authentication information.

U.S. Patent Application 2003/0140182 discloses a smart card reader external to a host PC.

U.S. Patents 6,763,399 and 6,848,619 disclose a smart card's internal components.
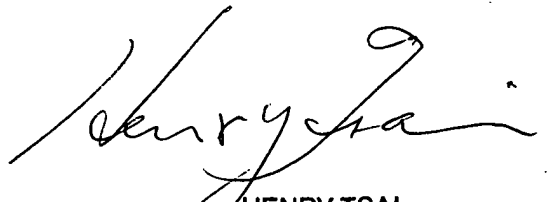
U.S. Patent 6,988,210 discloses a smart card connected to a terminal, which is connected to an information system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven G. Snyder whose telephone number is (571) 270-1971. The examiner can normally be reached on Mon. - Thurs. 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Tsai can be reached on (571) 272-4176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S.S.

HENRY TSAI
SUPERVISORY PATENT EXAMINER

1/2/08